

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|----------------------------|---|--------------|
| SALVATORE CHIMENTI, ET AL. | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| JOHN WETZEL, ET AL. | : | NO. 15-3333 |

ORDER

AND NOW, this day of July, 2018, upon consideration of the “DOC Defendants’ Motion for Summary Judgment” (Docket No. 95), and all documents filed in connection therewith, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The DOC Defendants’ Motion for Summary Judgment is **GRANTED** as to the following: (1) Plaintiff Maldonado’s personal claim for injunctive relief pursuant to 42 U.S.C. § 1983 in Count I of the First Amended Complaint; (2) Plaintiffs’ claim for injunctive relief for violation of Article I, Section 13 of the Pennsylvania Constitution in Count II of the First Amended Complaint; and (3) that portion of Plaintiff Chimenti’s claim for medical malpractice in Count III of the First Amended Complaint that pertains to Dr. Bennet Cecil’s opinion that Plaintiff Chimenti’s diabetes is likely related to his HCV.
2. The DOC Defendants’ Motion for Summary Judgment is **DENIED** in all other respects.

BY THE COURT:

/s/ John R. Padova

John R. Padova, J.